IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 18648 of 2004

Between:

B. Venkateswara Reddy, S/o. B. Venkata Reddy, aged 43 years,
R/o. H.No.40/814-7B, Srinivasa Nagar, Kurnool-518 004.

..... PETITIONER

AND

1 The Presiding Officer, Employees Insurance Court, Hyderabad
2 The Deputy Director, ESI Corporation, Hill Fort Road, Hyderabad
3 M/s. Deccan Chronicle, rep. by its Managing Partner

Sri T.Venkatrami Reddy, S.D.Road, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue Writ Order or direction more particularly one in the nature of Writ of Mandamus, directing the 1st respondent herein to forthwith dispose off the EIC. No.99/2002 pending before it expeditiously, and to grant such other relief or reliefs as the Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.EDIGA MALLIKARJUNA

Counsel for the Respondent Nos.1 and 2: MR.R.N.REDDY

The Court made the following:

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ORDER:

The petitioner worked as a staff reporter in the 3rd respondent Organisation. The 3rd respondent failed to enroll him as a member under E.S.I.Act. The 2nd respondent passed an order under Section 45-A of the E.S.I.Act, 1948 on 19.11.2002, directing the 3rd respondent to pay Rs.9,397/- due to the petitioner for the period from 1/97 to 5/99 towards contributions. The 3rd respondent, instead of complying the order of the 2nd respondent, filed E.I. Case No.99/2002 before the 1st respondent and obtained interim stay in I.A.No.495/2002.

2. The grievance of the petitioner is that due to the pendency of E.I. case before the 1st respondent, he is deprived of the benefits under the E.S.I. Act. Therefore, he approached this Court, through this writ petition, seeking a direction to the 1st respondent to dispose of the E.I. Case No.99 of 2002 expeditiously.

3. In the light of the circumstances explained by the petitioner, the 1st respondent is directed to expedite the E.I. Case No.99 of 2002, pending before him, and pass appropriate orders, after following the procedure prescribed under the law, within 6 (six) months from the date of receipt of a copy of this order.

4. The Writ Petition is, accordingly, disposed of. No order as to costs.

dsr

ASSISTANT REGISTRAR

To:

1. The Presiding Officer,

Employees Insurance Court, Hyderabad

2. The Deputy Director, ESI Corporation,

Hill Fort Road, Hyderabad

3. The Managing Partner, Sri T.Venkatrami Reddy,

M/s.Deccan Chronicle, S.D.Road, Secunderabad

4. Two CD copies.